REMARKS

This Amendment is filed in response to the Office Action mailed May 10, 2005. All objections and rejections are respectfully traversed.

Claims 1-54 are in the case.

Claims 2-11 and 13-23 were amended to better claim the invention.

Claims 24-54 were added to better claim the invention.

Claim Rejections – 35 U.S.C § 102

At paragraph 2 of the Office Action, claims 1, 6, 7, 12, 17-18, 20, and 23 were rejected under 35 U.S.C. § 102(b) as being anticipated by Hoffman et al., U.S. Patent No. 6,094, 435 issued July 25, 2000 (hereinafter Hoffman).

The present invention, as set out in independent claim 1, comprises in part:

> 1. In an intermediate node of a data network that comprises one or more virtual local area networks (VLANs), the intermediate node containing a forwarding database comprising one or more forwarding database entries, a method for controlling flooding of packets on a VLAN comprising the steps of:
> ***establishing a limit that indicates a number of forwarding database entries that may be associated with the VLAN;***
> determining if a number of forwarding database entries associated with the VLAN matches the limit established for the VLAN; and
> if so, performing an action for controlling the flooding of packets on the VLAN.

Hoffman discloses a method for detecting and handling congestion on an output port of a multi-layer switch. See col. 5, lines 6-8. In the method, congestion is detected

when a QOS output queue exceeds a certain threshold value, and in response packets destined for the QOS output queue are randomly discarded. See col. 22, lines 51-63. Furthermore, traffic flows, negotiated using the RSVP protocol, are examined to determine which traffic flow misbehaved and exceeded its reserved bandwidth, thus causing the QOS output queue congestion. See col. 21, line 66 to col.22 line 20. Determining the misbehaving traffic flow involves counting the number of times a packet from each traffic flow is directed to the QOS output queue, and comparing the count with the actual RSVP reserved bandwidth. See col. 22, lines 23-50. Then, future incoming packets of the misbehaving traffic flow are adjusted to a lower priority to prevent the traffic flow from again congesting at the QOS output queue. See col. 22, lines 64-67.

Applicant respectfully urges that Hoffman is silent concerning Applicant's claimed invention of ***establishing a limit that indicates a number of forwarding database entries that may be associated with the VLAN.***

The disclosure of Hoffman is silent on Applicant's novel claim of limiting the number of forward database entries which may be associated with a particular VLAN. Hoffman discloses lowering the priority of packets of a traffic flow to prevent the traffic flow from exceeding its bandwidth and congesting a QOS output queue. Accordingly, Hoffman discloses limiting the number of packets processed from the traffic flow, not limiting the number of forwarding entries associated with a VLAN. Clearly, Hoffman does not disclose ***establishing a limit that indicates a number of forwarding database entries that may be associated with the VLAN.***

Accordingly, Applicant respectfully urges that Hoffman is legally precluded from anticipating the presently claimed invention because of the absence of Applicant's claimed novel ***establishing a limit that indicates a number of forwarding database entries that may be associated with the VLAN.***

Claim Rejections – 35 U.S.C § 103

At paragraph 4 of the Office Action, claims 5 and 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hoffman in view of Bare, U.S. Patent No. 6,556,541 issued April 29, 2003 (hereinafter Bare).

At paragraph 5 of the Office Action, claims 8, 10-11, and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hoffman in view of Gleeson et al., U.S. Patent No. 6,763,023 issued July 13, 2004 (hereinafter Gleeson).

Applicant respectfully notes that claims 5, 8, 10-11, 16, and 19 are dependent claims that depend on independent claims believed to be in condition for allowance. Accordingly, claims 5, 8, 10-11, 16, and 19 are believed to be in condition for allowance.

Allowable Subject Matter

At page 6, paragraph 1 of the Office Action, claims 2-4, 9, 13-15, and 21-22 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Accordingly, the amendments to claims 2-4, 9, 13-15, and 21-22 are believed to satisfy this objection.